



Atty. Dkt. No. 046121-0106

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Frederick D. SANCILIO et al.  
Title: NARCOTIC-NSAID ION PAIRS  
Appl. No.: 10/796,308  
Filing Date: 03/10/2004  
Examiner: Unassigned  
Art Unit: Unassigned

**TRANSMITTAL OF MISSING PARTS**  
**OF PATENT APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed 06/01/2004, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

- ☒ [ X ] Return Copy of Notice to File Missing Parts (2 pages)
- ☒ [ X ] Declaration and Power of Attorney (8 pages)
- ☒ [ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
  - ☒ [ X ] Extension for response filed within the first month
  - ☐ [ ] Extension for response filed within the second month
  - ☐ [ ] Extension for response filed within the third month
  - ☐ [ ] Extension for response filed within the fourth month
  - ☐ [ ] Extension for response filed within the fifth month

08/13/2004 EABUBAK1 00000023 10796308

04 FC:1251

110.00 0P

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$770.00	\$770.00
Total Claims:	160	- 20	= 140	x \$18.00	= \$2,520.00
Independent ents:	1	- 3	= 0	x \$86.00	= \$0.00
If any Multiple Dependent Claim(s) present:				+ \$290.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee				+ \$130.00	= \$130.00
[ X ] Extension fee for response filed within the first month:				+ \$110.00	= \$ 110.00
				SUBTOTAL:	= \$3,530.00
[ ] Small Entity Fees Apply (subtract ½ of above):					= \$0.00
				TOTAL FILING FEE:	= \$3,530.00
				TOTAL FEE	= \$3,530.00
Difference to pay:				- \$0.00	- \$3,530.00

[ X ] Check in the amount of \$3,530.00 in payment of  
surcharge fee (37 C.F.R. § 1.16(e))

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date

11 August 2004

By



FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5475  
Facsimile: (202) 672-5399

Beth A. Burrous  
Attorney for Applicant  
Registration No. 35,087



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/796,308	03/10/2004	Frederick D. Sancilio	046121-0106

22428  
 FOLEY AND LARDNER  
 SUITE 500  
 3000 K STREET NW  
 WASHINGTON, DC 20007



CONFIRMATION NO. 9120

## FORMALITIES LETTER



\*OC000000012827739\*

Date Mailed: 06/01/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$2520** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$3420** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

08/13/2004 EABUBAK1 00000023 10796308

01 FC:1001  
 02 FC:1202  
 03 FC:1051

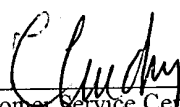
770.00 OP  
 2520.00 OP  
 130.00 OP

- Total additional claim fee(s) for this application is **\$2520**
  - **\$2520** for **140** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE